

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

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| IN RE ALTA MESA RESOURCES, INC.<br>SECURITIES LITIGATION | CASE NO. 4:19-CV-00957<br>(CONSOLIDATED)<br><br>JUDGE GEORGE C. HANKS, JR.<br><br>THIS DOCUMENT RELATES TO:<br><br>CASE NO. 4:22-CV-01189<br>CASE NO. 4:22-CV-02590 |
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**SECOND JOINT STIPULATION REGARDING BRIEFING SCHEDULE FOR  
DEFENDANTS McMULLEN'S AND DIMITRIEVICH'S MOTION FOR  
SUMMARY JUDGMENT AS TO OPT-OUT PLAINTIFFS' STATE LAW AND  
SECTION 18 CLAIMS**

TO THE HONORABLE COURT:

WHEREAS, on August 31, 2023, Defendants' Don Dimitrievich and William McMullen filed a Motion for Summary Judgment and Incorporated Memorandum of Law as to Opt-Out Plaintiffs' State Law and Section 18 Claims (the "Opt-Out Motion") (ECF No. 424);

WHEREAS, the Opt-Out Motion is made by Defendants Dimitrievich and McMullen against the following Plaintiffs: Plaintiffs Alyeska Master Fund, L.P., Alyeska Master Fund 2, L.P., Alyeska Master Fund 3, L.P., Orbis Global Equity LE Fund (Australia Registered), Orbis Global Equity Fund (Australia Registered), Orbis Global Balanced Fund (Australia Registered), Orbis SICAV, Orbis Institutional Global Equity L.P., Orbis Global Equity Fund Limited, Orbis Institutional Funds Limited, Allan Gray Australia Balanced

Fund, Orbis OEIC, and Orbis Institutional U.S. Equity L.P (the “Opt-Out Plaintiffs,” and, together with Defendants Dimitrievich and McMullen, the “Relevant Parties”);

WHEREAS, following the filing of the Opt-Out Motion, counsel for the Relevant Parties met and conferred regarding an appropriate briefing schedule for the Opposition to the Motion and the Reply thereto, and previously agreed to extend the time for submission of the Opposition to the Opt-Out Motion to September 26, 2023, and for the submission of the Reply thereto to October 6, 2023;

WHEREAS, on September 22, 2023, Defendants Dimitrievich and McMullen filed a letter (ECF No. 452) with the Court requesting oral argument on the Opt-Out Motion and the other summary judgment motions (ECF Nos. 422, 423, and 427) the week of October 16-20, 2023, the week of October 23-26, or at the Court’s convenience (the “Argument Request”);

WHEREAS, counsel for the Relevant Parties have met and conferred regarding a further extension of the deadlines for the Opposition to the Motion and the Reply thereto, and have agreed that:

- the Opposition to the Motion shall be due on **Thursday, September 28, 2023**;
- the Reply thereto shall be due on **Tuesday, October 10, 2023**; and
- the Relevant Parties do not intend for this agreement to affect the Argument Request.

THEREFORE, having met and conferred, the Relevant Parties have agreed and now respectfully propose that the Court extend the Opt-Out Plaintiffs’ deadline to file an Opposition to the Opt-Out Motion to **Thursday, September 28, 2023**, and similarly extend

the deadline for Defendants Dimitrievich and McMullen to file their Reply thereto to  
**Tuesday, October 10, 2023.**

Dated: September 25, 2023

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| <p><i>/s/ Karl S. Stern</i></p> <hr/> <p>Karl S. Stern (Attorney-in-Charge)<br/>Texas State Bar No. 19175665<br/>Federal Bar No. 04870<br/>Email: karlstern@quinnmanuel.com</p> <p>Christopher D. Porter<br/>Texas State Bar No. 24070437<br/>Federal Bar No. 1052367<br/>Email: chrisporter@quinnmanuel.com</p> <p><b>QUINN, EMANUEL, URQUHART &amp; SULLIVAN, LLP</b></p> <p>711 Louisiana Street, Suite 500<br/>Houston, TX 77002<br/>Telephone: (713) 221-7000<br/>Facsimile: (713) 221-7100</p> <p><i>Attorneys for Defendant Don Dimitrievich</i></p> | <p><i>/s/ Kenneth A. Young</i></p> <hr/> <p>Kenneth A. Young (Attorney-in-Charge)<br/>Texas State Bar No. 25088699<br/>S.D. Tex. ID 2506614<br/>Email: kenneth.young@kirkland.com</p> <p>Nick Brown<br/>Texas Bar No. 24092182<br/>S.D. Tex. ID 2725667<br/>Email: nick.brown@kirkland.com</p> <p><b>KIRKLAND &amp; ELLIS LLP</b></p> <p>609 Main Street<br/>Houston, Texas 77002<br/>Telephone: (713) 836-3600<br/>Facsimile: (713) 836-3601</p> <p><i>Attorneys for Defendant William McMullen</i></p> |
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/s/ Matthew A. Peller

Matthew A. Peller (*pro hac vice*)

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SO ORDERED:

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Judge George C. Hanks, Jr.  
United States District Judge